REMARKS

Reconsideration of this application in view of the above amendments and following remarks is respectfully requested. Claims 1, 4, 7 and 10-13 are now pending. Claims 1, 4 and 7 have been amended. Claims 2, 3, 5 and 6 have been canceled. Claims 10-13 are new.

As an initial matter, Applicants have amended the claims to correct the informalities noted by the Examiner. For purpose of completeness, similar amendments have been made to the specification. Applicants have also included appropriate headings and made other minor grammatical changes. Such amendments to the specification do not constitute addition of new matter.

Claims 4-9 stand objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form. To that end, Applicants have added new claim 10 which presents claim 4 in independent format. New claims 11, 12 and 13 have similarly been added which parallel claims 2, 3 and 7, respectively, but which depend from new claim 10. Accordingly, since claim 10 is now in condition for allowance, Applicants submit that dependent claims 11, 12 and 13 are also allowable for the same reasons as applied to claim 10.

Lastly, the Examiner has rejected claims 1-3 under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,432,020 to Fleck in view of U.S. Patent No. 6,126,088 in view of Wilger et al. Applicants respectfully traverse this rejection for the reasons set forth below.

Claim 1 has been amended to recite the subject matter of dependent claim 2 (which recites a water flow passage) and claim 3 (which recites that the water flow passage recirculates excess water flow to the pump means). Such elements are not taught or suggested by Fleck and/or Wilger et al. Rather, Fleck is directed to an apparatus for humidifying process gas for a fuel cell, but provides no recirculation of the humidifying water. Rather, such water is completely injected into mixing chamber 4 via injection nozzle 5, and in no instance is the water within supply line 6 recirculated – in other words, it is simply "dead-ended" into the injection nozzle (*see* Figure of Fleck).

The addition of Wilger et al. does not cure the deficiency of Fleck. As shown in Figure 1 of Wilger et al., the liquid is distributed to the various nozzles, but again dead-ends at the last nozzle. While the Examiner correctly notes that Wilger et al. discloses multiple nozzles,

this reference does not provide the elements lacking in Fleck – that is, it does not provide a water flow passage that permits recirculation of excess water flow to the pump means.

Accordingly, Applicants respectfully submit that claims 1, 4 and 7 are patentable over Fleck in view of Wilger, and request that this ground of rejection also be withdrawn.

A good faith effort has been made to place this application in condition for allowance. However, should any further issue require attention prior to allowance, the Examiner is requested to contact the undersigned at (206) 622-4900 to resolve the same.

Respectfully submitted,

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